

35.C12902



PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
HAJIME YAMAMOTO, et al. ) Examiner: J. Guarriello ✓  
Application No.: 09/132,746 ✓ ) Group Art Unit: 1771 ✓  
Filed: August 12, 1998 ✓ )  
For: FIBROUS MATERIAL, )  
PRODUCTION PROCESS OF )  
THE FIBROUS MATERIAL, )  
INK-ABSORBING MEMBER, )  
TREATING PROCESS OF )  
THE INK-ABSORBING )  
MEMBER, INK TANK )  
CONTAINER AND INK ) June 5, 2000  
CARTRIDGE )

Assistant Commissioner for Patents  
Washington, D.C. 20231

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the April 3, 2000 Requirement To Restrict, the period for response to which having been extended to Monday, June 5, 2000 by the accompanying Petition For Extension Of Time, Applicants hereby provisionally elect to prosecute the Group III claims, namely Claims 47 to 53. The Requirement To Restrict is, however, traversed.

Traversal is on the ground that there would not be undue burden in examining all three groups of claims in a

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Michael K. O'Neill

Name of Attorney for Applicant

Signature

Date of Signature

single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown.

In the present instance, it is not believed that there would be undue burden in examining all three groups of claims in a single application, since the groups of claims are not so different as would require burden on the Examiner that is significantly beyond that of the normal burdens of examination. For example, all three groups of claims feature a fibrous material subjected to a specifically-recited treatment, such that examination of all three groups together would entail only normal burdens of prosecution. In fact, the elected claims are dependent on Group II claims, which highlights the interrelated nature of the claims.

Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All

correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
Attorney for Applicants

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